IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.179 OF 2006
IN
SUMMONS FOR JUDGMENT NO.690 OF 2004
IN
SUMMARY SUIT NO.519 OF 2003

Bindal Medical Stores & Anr. ....Appellants
V/s.
Glaxo Smithkline Pharmaceuticals Ltd. ....Respondents

Mr.Anant Parchure with Mr.Girish Kulkarni and Mr.Anilkumar Joshi for the Appellants.
Mr.Sunil Patel i/b Rajesh Desai & Co. for the Respondents.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 4TH AUGUST, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondents.

2. By this Appeal, the Appellants are challenging the order dated 28.9.2005 passed by the learned Single Judge, granting conditional leave, directing the Appellants to deposit a sum of Rs.22,50,000/-.

3. After hearing the parties for some time, the learned counsel for the Appellants states that the Appellants are ready and willing to furnish the security to the satisfaction of the Prothonotary &

Senior Master in the sum of Rs.22,50,000/-. The learned counsel for the Respondents has no objection. In view thereof, the order of the learned Single Judge stands modified to the extent that upon the Appellants furnishing the security to the satisfaction of the Prothonotary & Senior Master in the sum of Rs.22,50,000/- within a period of six weeks from today, the Appellants are granted liberty to file the written statement in the suit within a period of six weeks thereafter.

4. The Appeal stands disposed of accordingly.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)